

REMARKS

Reconsideration and allowance of the captioned application in view of the foregoing amendments and the remarks that follow is respectfully requested. These comments are intended to advance the case to issue without delay. The claims pending in the application were 1-13, 15-17, 19-25, 27 and 28. By this amendment, no claim has been added or cancelled. Accordingly, the claims pending in the application remains to be claims 1-13, 15-17, 19-25, 27 and 28.

Claims 13, 24 and 25 have been rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the phrase "said corrugations" in claims 13, 24 and 25 is said to lack antecedent basis. It is respectfully submitted that this rejection has been obviated by the above amendment which change the phrase to "having corrugations". Therefore, withdrawal of these rejections under 35 USC §112, second paragraph is respectfully requested.

Claims 1, 3, 4, 6, 7, 10, 12, 13, 15-17, 22, 24, 25 , 27 and 28 have been rejected under 35 USC §103(a) as being unpatentable over Limousin (4,586,312) in view of Lundquist (4,720,410). It is asserted that Limousin discloses all of the claim limitations with the exception of at least one of the films being opaque and at least one of the films being clear. Lundquist is cited as teaching a package holding articles comprising a top sheet that is transparent and a bottom sheet that is opaque. It is asserted that it would have been obvious to one having ordinary skill in the art in view of Lundquist to modify the films of Limousin to arrive at the present invention.

Applicant respectfully traverse this rejection. Lundquist is not relevant art as Lundquist is concerned with primary packaging of articles versus the present invention which is concerned with secondary type packaging that is used to bundle numerous packages together. Lundquist is concerned with primary packaging for articles such as bacon and providing packaging that keeps the product fresh and is able to be cooked in

the package which enables sufficient venting during cooking. The present invention is directed specifically to secondary packaging in which packaged products are then bundled in secondary packaging for purposes of, for example, delivery or the selling of numerous packages together as one sale item. Therefore, withdrawal of this rejection under 35 USC §103(a) is respectfully requested.

Claims 2, 5, 8, 9, 11 and 19 have been rejected under 35 USC §103(a) as being unpatentable over Limousin and Lundquist as applied above and in further view of Tsuchiya (5,067,612). Limousin is recognised as failing to teach the openings being on opposite sides of the perforations in the film side. Tsuchiya is cited as teaching in embodiment 13 a package with at least a pair of perforations with a notch opening and a pair of openings in opposite sides of the perforations. It is stated that it would have been obvious to one of ordinary skill in the art to modify the gripping apertures of Limousin in view of the teachings of Tsuchiya so the gripping apertures are disposed on opposite sides of the line of perforations to facilitate carrying.

Applicant respectfully traverse this rejection. Limousin not only does not teach the placement of perforations and apertures as claimed in the present invention, but actually teaches away from the present invention as claimed. Limousin teaches the specific relative location of the perforation and apertures as having a specific purpose, namely subjecting the perforations to less heat than the apertures during fabrication. Accordingly, not only is the presently claimed invention not disclosed in Limousin, but it is actually taught away from. Furthermore, the teachings in Tsuchiya are at odds with the teaching of Limousin and therefore one skilled in the art would not combine the teachings of Limousin in view of the teachings of Tsuchiya. Consequently, withdrawal of this rejection under 35 USC §103(a) is respectfully requested.

Claims 20, 21, and 23 have been rejected under 35 USC §103(a) as being unpatentable over Limousin in view of Tsuchiya. Limousin is recognised as failing to teach the openings being on opposite sides of the perforations in the film side.

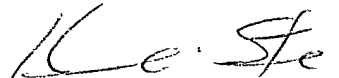
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In light of the above amendments and remarks, it is respectfully requested that the application be allowed to issue.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney invites the Examiner to telephone at the number provided.

Respectfully submitted,



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